



BILLING CODE 6717-01-P
DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission

[Project No. 10934-000]

Sugar River II, LLC; Notice Soliciting Pre-Application Documents and Notices of Intent to File a Subsequent License Application

On May 24, 2016, William B. Ruger, Jr., the then licensee for the Sugar River II Project No. 10934 (project) filed a Notice of Intent (NOI) to file an application for a subsequent license for the project.¹ The existing license for the project expires on April 30, 2021.² On October 6, 2016, Commission staff approved the use of the traditional licensing process to develop the license application, and on October 7, 2016, Commission staff issued a public notice of Mr. Ruger's NOI.

Pursuant to section 16.20(c) of the Commission's regulations, an existing licensee with a minor license not subject to sections 14 and 15 of the Federal Power Act must file an application for a subsequent license at least 24 months prior to the expiration of the current license, which with respect to the Sugar River II Project, was April 30, 2019.³ On April 30, 2019, the current licensee, Sugar River Hydro II, LLC,⁴ filed a letter stating that it is not filing an application to relicense the project.

Pursuant to section 16.25(a) of the Commission's regulations, when an existing licensee, having previously filed an NOI to file a subsequent license for a project, subsequently does not file a license application, the Commission must solicit applications from potential applicants other than the existing licensee.⁵ Any party interested in filing

¹ 18 CFR 16.19(b) (2018).

² The license for the project was issued with an effective date of May 1, 1991, for a term of 30 years. *William B. Ruger*, 55 FERC ¶ 62,118 (1991).

³ 18 CFR 16.20(c) (2018).

⁴ On January 26, 2017, the Commission approved a transfer of the license for the project from William B. Ruger to Sugar River Hydro II, LLC. *William B. Ruger, Jr. and Sugar River Hydro II, LLC*, 158 FERC ¶ 62,053 (2017).

⁵ 18 CFR 16.25(a) (2018).

a license application or exemption (*i.e.*, a potential applicant) for the project must file an NOI and pre-application document within 90 days from the date of this notice.⁶ While the integrated licensing process is the default process for preparing an application for a subsequent license, a potential applicant may request to use alternative licensing procedures when it files its NOI.⁷ An application for a subsequent license or exemption for the Sugar River II Project No. 10934 must be filed within 18 months of the date of filing the NOI.

Questions concerning the process for filing an NOI should be directed to Michael Watts at 202-502-6123 or michael.watts@ferc.gov.

Dated: May 8, 2019.

Kimberly D. Bose,
Secretary.

⁶ Pursuant to section 16.24(b)(2) of the Commission's regulations, the existing licensee, Sugar River Hydro II, LLC, is prohibited from filing an application for a subsequent license or exemption for the project, either individually or in conjunction with other entities. 18 CFR 16.24(b)(2) (2018).

⁷ 18 CFR 5.3(b) (2018).

